

CITY OF MANCHESTER

PLANNING AND ZONING COMMISSION MEETING MINUTES MONDAY, APRIL 14, 2014

COMMISSIONERS

Jason Truesdell, Chairman (2018)
James Labit, Secretary (2016)
Joni Korte (2016)
Tom Brown (2017)
Jack Fluchel (2015)
Mark Smith (2018)

CITY OFFICIALS AND STAFF

Dave Willson, Mayor
Mike Clement, Alderman, Ex-Officio member
Franz Krintz, Planning and Zoning Director
Michelle Melugin, Recording Secretary

CASES

#14-SP-002

A request is made by Mr. Larry Barnes of KAB Construction Co. LLC for site plan approval of a new single family dwelling to be constructed at 752 Sulphur Spring Court (corner of Sulphur Spring Road and Sulphur Spring Court). The property is zoned R-3 Single Family Residential.

- **Ray White**
1230 Orchard Village Ln
St. Louis, MO 63021
636-262-3504

#14-TXT-001

A text amendment is proposed to add a definition of “mobile food establishment” and to add mobile food establishment to the list of permitted uses in the R-1 Single Family Residential Zoning District.

1. CALL TO ORDER

Commissioner Truesdell called the Planning and Zoning meeting of April 14, 2014 to order at 7:00 p.m.

2. ROLL CALL

Commissioner Truesdell asked the Recording Secretary to take roll.

Commissioner/Secretary James Labit	Present	Mayor David Willson	Present
Commissioner Jack Fluchel	Present	Chairman Jason Truesdell	Present
Commissioner Joni Korte	Present	Commissioner Mark Smith	Present
Commissioner Tom Brown	Excused		

3. APPROVAL OF MINUTES

Commissioner Labit made the motion to approve the minutes of March 10, 2014. Motion seconded by Commissioner Fluchel; motion approved by voice vote. The vote taken was recorded as follows:

<u>Ayes</u>	<u>Nays</u>	<u>Abstentions</u>	<u>Excused</u>
6	0	0	1

4. **APPROVAL OF AGENDA**

Commissioner Truesdell asked if there were any changes to the agenda. Commissioner Labit made the motion to approve the agenda as presented. Commissioner Fluchel seconded; motion approved by voice vote. The vote taken was recorded as follows:

<u>Ayes</u>	<u>Nays</u>	<u>Abstentions</u>	<u>Excused</u>
6	0	0	1

5. **OLD BUSINESS**

6. **NEW BUSINESS**

- A. CASE #14-SP-002 - A request is made by Mr. Larry Barnes of KAB Construction Co. LLC for site plan approval of a new single family dwelling to be constructed at 752 Sulphur Spring Court (corner of Sulphur Spring Road and Sulphur Spring Court). The property is zoned R-3 Single Family Residential.**

Speaking for the case was Ray White, the current owner of the lot at 752 Sulphur Spring Court. He was also the owner of the lot next door which he then sold. Mr. White provided a brief description of his intentions to build a new dwelling on this lot.

Director Kraintz asked Mr. White to explain further about the home he intends to build on this lot. Mr. White stated that is a ranch-style home. It is a single family residence. It has a similar look and construction to the home he built next door with some changes. There will be a brick and stone front with vinyl siding on the sides.

Director Kraintz asked if the home would be built with a basement. Mr. White confirmed that there would be a basement. He also confirmed that the home would be approximately 1,700- 1,800 square feet with 3 bedrooms. There is a bathroom on the lower level.

Director Kraintz stated that the proposed site plan does comport with all the zoning requirements of the City for this zone district. The house is compliant with the setbacks and height restrictions. The alignment of the house on the curve of the street may make a fence location there somewhat of a hazard because of the limited sight visibility but installation of a fence is not planned at this time.

Mr. White explained that if he did decide to put up a fence, at some point ,he would prefer to run something straight off the corner which would still allow the same visibility whether there was a fence there or not. He would do that instead of running straight out from the corner to the sidewalk and around but he currently has no plans for a fence. Director Kraintz suggested that if they did decide on a fence they could do a kind of fence that would still allow for visibility, like a wrought iron fence.

For the construction, Mr. White said he would use a large builder called KAB Construction. It would be similar to the same setup they used for the construction of the home next to them. He then asked if they planned to bring in fill for when they started the excavation. The soil dug for the basement would be used to spread around the yard. Nothing would be hauled in except maybe some top soil if needed. Director Kraintz encouraged Mr. White to ensure there is proper drainage away from the home. The property is not in a Special Flood Hazard Area but the lot is below the grade of the adjacent road.

Chairman Truesdell asked about permeable surfaces or rain barrels. Director Kraintz explained that the lot coverage did not trigger the mandatory requirement for post-construction storm water quality management. However, the use of rain barrels at the bottom of downspouts has been somewhat successful. Director Kraintz asked Mr. White if he was prepared to put the rain barrels in. Mr. White stated he would be willing to take a look at it if it needs to be done. He stated that he has never used

them before. Director Kraintz added that with the rain barrels there could be a potential of ponding due to the lower level of the lot. Rain barrels may not be the appropriate device.

Chairman Truesdell confirmed if a \$2,500 deposit was required for the site plan. Director Kraintz replied that is was.

Commissioner Labit commented that it looked like a nice house as was the one that was built before. As he looked at the land services map, he said there is a drainage inlet at the front edge of the lot by the intersection of Sulphur Spring and Sulphur Spring Court. He stated it looks like the arrows point from the back corner of the house in the direction of the inlet. He sees no issue with drainage.

Commissioner Labit also commented on the sight distance at that lot. He said visibility is an issue there. However, if there is a similar fence near the sidewalk then it should not change the line of sight availability.

Mayor Willson made the motion to approve the site plan on Case# 14-SP-002 with the requirement that \$2,500 be placed as deposit with the City. Motion seconded by Commissioner Labit; motion approved by voice vote. The vote taken was recorded as follows:

<u>Ayes</u>	<u>Nays</u>	<u>Abstentions</u>	<u>Excused</u>
6	0	0	1

- A. CASE #14-TXT-001–** A text amendment is proposed to add a definition of “mobile food establishment” and to add mobile food establishment to the list of permitted uses in the R-1 Single Family Residential Zoning District.

Director Kraintz started by explaining that the current code for the City of Manchester does not allow for mobile food establishments or other temporary vendors to sell their goods and products by trolling the streets and neighborhoods of the City. However, Manchester Arts is promoting a summer concert series and the hope was that mobile food establishments, such as food trucks, would be available to serve the public attending events such as this. In addition, this text amendment would also be needed to cover the commercial activities associated with the City’s Homecoming event in the park.

The proposed text amendment would allow mobile food establishments in the City Parks but only at City-sanctioned events. The proposed language was prepared in collaboration with the City’s Parks Director and City Attorney. Commissioner Labit also offered his version for a text amendment.

Chairman Truesdell addressed the 72 hour limit on engaging in business by asking if the time was sufficient. Director Kraintz pointed out that the part of the time limit was removed from the most recent draft of the amendment. However, they will be contracted by the City to appear at the event for no more than 72 hours.

Chairman Truesdell then asked about having a requirement for the mobile food establishment to show proof of certificate of insurance. Director Kraintz explained that it will still need to be looked into as to whether that will be handled administratively or needs to be included in the actual ordinance. The City will not be paying mobile food establishments to come into the City but will be invited in to sell. However, a requirement of having a St. Louis County Health permit is listed in the ordinance.

Commissioner Labit stated that he is involved with Manchester Arts and was given the responsibility of inviting food trucks to City events. He felt there was a difference between a mobile food establishment that came to the City asking to sell on its streets and that of a mobile food establishment that was invited in by the City. He felt it was not best to license the business or require them to obtain a permit to sell at an event if they were invited in by the City. If there is to be a contract between the mobile food establishments and the City, then he would need a copy of that.

Alderman Clement commented that the purpose of the text amendment was to cover and make legal what is already done at Homecoming, but at the same time allow the use of a couple of food trucks at Manchester Arts concerts. Alderman Clement then brought up about the possibility of these mobile food establishments coming in for other events held by Manchester businesses. Commissioner Korte brought up that the text amendment states that this would be allowed only for City events.

Alderman Clement asked if there was a survey done of other cities with similar food truck ordinances. Director Kraitz stated they did obtain a copy of the ordinance from Kirkwood.

Chairman Truesdell clarified that the Commission would like to see the text amendment limit the use of mobile food establishments to public and private events on City park property as permitted by the City. They would also like a clarification on the question of whether insurance would be needed for the mobile food establishments. Also, a clarification of the term “mobile food establishment” would need to be made for the ordinance.

Chairman Truesdell made the motion to table the Case# 14-TXT-001 pending further revisions by the City Attorney. Motion seconded by Commissioner Labit; motion approved by voice vote. The vote taken was recorded as follows:

<u>Ayes</u>	<u>Nays</u>	<u>Abstentions</u>	<u>Excused</u>
6	0	0	1

7. PLANNING AND ZONING DIRECTOR’S REPORT

Planning and Zoning Director Kraitz said that the Arbors at Hanna Subdivision is complete. They should be requesting dedication for future public maintenance.

Plato’s Closet had its first reading at the Board of Alderman meeting.

8. EX-OFFICIO’S REPORT

Alderman Clement stated Board of Alderman took up the sign ordinance. Made changes to the sizes of the signs. The second reading of the ordinance will be on April 21, 2014.

9. COMMENTS FROM THE PLANNING AND ZONING COMMISSION

10. ADJOURNMENT

Chairman Truesdell made the motion to adjourn the Planning and Zoning Commission meeting of April 14, 2014, at 8:15 pm. Motion seconded by Commissioner Korte; motion approved by voice vote. The vote taken was recorded as follows:

<u>Ayes</u>	<u>Nays</u>	<u>Abstentions</u>	<u>Excused</u>
6	0	0	1

Respectfully submitted by:
Melissa Barklage, Recording Secretary

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